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14 **UNITED STATES DISTRICT COURT**  
15 **EASTERN DISTRICT OF CALIFORNIA**

16 VICKIE BENNETT, ) Case No.: 2:24-cv-02385-JDP  
17 Plaintiff, )  
18 vs. ) STIPULATION AND ~~PROPOSED~~ ORDER  
19 ) FOR AN EXTENSION OF TIME  
20 CAROLYN COLVIN, )  
21 Acting Commissioner of Social Security,<sup>1</sup> )  
22 Defendant. )

23 Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the  
24 parties, through their respective counsel of record, that the time for Defendant to respond to  
25 Plaintiff's Motion for Summary Judgment be extended thirty (30) days from January 6, 2025, up  
26 to and including February 5, 2025. This is the Defendant's first request for an extension.

27 This matter was assigned on December 12, 2024. Based on a review of the record,  
28 undersigned counsel requires additional time to explore settlement options. Defendant  
apologizes to the Court for any inconvenience caused by this delay. Undersigned counsel  
contacted Plaintiff's counsel on January 2, 2025, and he had no objection to this request.

29 <sup>1</sup> Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024.  
30 Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be  
31 substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to  
32 continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42  
33 U.S.C. § 405(g).

1 The parties further stipulate that the Court's Scheduling Order shall be modified  
2 accordingly.

3 Respectfully submitted,

4 Dated: January 3, 2025

/s/ Francesco Benavides\*  
5 (\*as authorized via e-mail on January 2, 2025)  
6 FRANCESCO BENAVIDES  
Attorney for Plaintiff

7 Dated: January 3, 2025

8 PHILLIP A. TALBERT  
United States Attorney  
9 MATHEW W. PILE  
Associate General Counsel  
10 Social Security Administration

11 By:

/s/ Noah Schabacker  
12 NOAH SCHABACKER  
Special Assistant U.S. Attorney  
13 Attorneys for Defendant

14

15 **ORDER**

16 Pursuant to the parties' stipulation, IT IS SO ORDERED that Defendant shall have an  
17 extension, up to and including February 5, 2025, to respond to Plaintiff's Motion for Summary  
18 Judgment.

19 IT IS SO ORDERED.

20

21 Dated: January 6, 2025

  
22 JEREMY D. PETERSON  
23 UNITED STATES MAGISTRATE JUDGE